

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

4:24CR3035

vs.

ELIA FLORES-SANCHEZ,

Defendant.

MEMORANDUM AND ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation on Plea of Guilty ([Filing No. 41](#)) recommending that the Court accept Defendant's plea of guilty. There are no objections to the Findings and Recommendation. Pursuant to [28 U.S.C. § 636\(b\)\(1\)\(C\)](#) and [NECrimR 11.2\(d\)](#), the Court has conducted a de novo review of the record and has decided it is appropriate to hold the matter in abeyance.

At the change of plea hearing, the Magistrate Judge asked the government whether restitution was being sought in this case. ([Filing No. 44](#).) The government stated it was not. Therefore, the Magistrate Judge did not advise Defendant of the Court's authority to order restitution pursuant to [Federal Rule of Criminal Procedure 11\(b\)\(1\)\(K\)](#). However, the Plea Agreement ([Filing No. 40](#)) states that Defendant may be ordered to pay restitution to Victim 1.

Apart from this matter, Defendant was fully apprised of all the relevant rights she was waiving by entering a plea of guilty. Therefore, the Court will hold this matter in abeyance, direct that this case provisionally proceed to sentencing, and address this issue with Defendant at that time before deciding whether to accept her plea of guilty.

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation on Plea of Guilty ([Filing No. 41](#)) is held in abeyance; and
2. This case shall provisionally proceed to sentencing, and this matter will be addressed at that time.

Dated this 22nd day of August, 2024.

BY THE COURT:



Susan M. Bazis
United States District Judge